

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Sri A. Jayaramudu, Prohibition & Excise Inspector, Dharmavaram, Anantapur District (Retd.) – Departmental proceedings initiated – Charges framed - Explanation submitted – Enquiry Officer appointed – Inquiry report submitted – Charges held proved – Punishment of 10% cut in pension permanently – Imposed – Orders – Issued.

REVENUE (VIG.V) DEPARTMENT

G.O. Rt. No. 771

Dated:15.05.2012.

Red the following:-

- 1) D.G., ACB Lr. No.220/RCA.ATP/98/S.14, dt.27.09.2002.
- 2) G.O. Ms. No.481, Revenue (Vig.II) Deptt., dt.31.03.2003.
- 3) Hon'ble First Addl. Spl. Judge for SPE & ACB Cases, Hyderabad judgment, dt.29.06.2011 in CC No.14 of 2004.
- 4) G.O. Rt. No.1564, Revenue (Vig.V) Deptt., dt.30.12.2011.
- 5) DC P&E, Kurnool Proc.Rc.No.A1/490/2003, dt.24.04.2004.
- 6) Written Statement of Defence of Sri A. Jayaramudu, P&E Inspector, dt.02.03.2007.
- 7) G.O. Rt. No.673, Revenue (Vig.V) Deptt., dt.27.03.2006.
- 8) Enquiry Officer's Report Rc.No.17/99/A, dt.19.04.2007.
- 9) Govt. Memo No.70319/Vig.V(1)/2002-21, dt.03.07.2007.
- 10) Sri A. Jayaramudu, Explanation, dt.10.08.2007.
- 11) Govt. Memo No.70319/Vig.V(1)/2002-22, dt.10.12.2008.
- 12) Sri A. Jayaramudu, Explanation, dt.20.02.2009.
- 13) Govt. Letter No.70319/Vig.V(1)/2002-23, dt.17.02.2012.
- 14) The Secretary, APPSC, Hyderabad Lr.No.484/RT/1/2012, dt.17.04.2012.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has submitted his final report in disproportionate assets case registered against Sri A. Jayaramudu, Prohibition & Excise Inspector, Dharmavaram, Anantapur District (Retired) and recommended for prosecution of the Accused Officer in a Court of Law under P.C. Act, 1988 on the allegation of acquisition disproportionate assets and for initiation of departmental action against him on the allegation that the Accused Officer has acquired certain assets in his name/in the names of his family members without intimating to the competent authority in violation of Rule 9 of the APCS (Conduct) Rules, 1964.

2) In the reference 2nd read above, sanction was accorded to prosecute the Accused Officer in a court of law for the offences punishable under P.C. Act, 1988.

3) In the reference 3rd read above, the Hon'ble First Addl. Special Judge for SPE & ACB Cases, Hyderabad found the Accused Officer not guilty for the offence punishable. Hence, acquitted him under Section 248 (1) Cr.P.C. for the offence punishable under section 13(2) r/w Sec. 13(1) (e) of P.C. Act, 1988.

4) In the reference 4th read above, orders were issued dropping further action against the Accused Officer in respect of acquisition of disproportionate assets case.

5) In the reference 5th read above, Charge was framed against Sri V. Jayaramudu, alleging that he acquired certain movable/immovable assets in his name/in the names of his family members without intimation and prior permission from the competent authorities.

6) In the reference 6th read above, the charged officer has submitted his Written Statement of Defence stating that he has intimated all the transactions of acquisition of assets to the concerned authorities and not violated Rule 9 of APCS (Conduct) Rules, 1964 and requested the Government to drop the charge framed against him.

7) In the reference 7th read above, Sri C. Jagadish Kumar Reddy, Deputy Commissioner of Prohibition & Excise, Anantapur District was appointed as Enquiry Officer to conduct detailed enquiry and to submit his report.

8) In the reference 8th read above, the Enquiry Officer has submitted the Enquiry Report wherein it is held that the charge is proved against the Charged Officer.

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9) In the reference 9th read above, while communicating a copy enquiry report, the Charged Officer was directed to submit his explanation if any on the findings of the Enquiry Officer.

10) In the reference 10th read above, the charged officer has submitted his explanation stating that the Enquiry Officer did not summon the connected record and he did not conduct the enquiry as per the rules and his findings arrived are not based on evidence and on record. Finally, he has requested the Government to drop further action against him.

11) In the reference 11th read above, a Show Cause Notice was issued to the Charged Officer duly indicating the proposed punishment of imposition of ten per cent (10%) cut in pension permanently against him, as the charge is held proved in the enquiry.

12) In the reference 12th read above, the Charged Officer has submitted his explanation and stating that all the properties acquired by him/his family members were through legal sources and been intimated to the competent authorities. Hence, requested the Government to drop further action against him or keep the decision in abeyance till finalization of the case in C.C. No.14/2004. The explanation submitted by the Charged Officer is not tenable as the Regular Enquiry Officer has conducted the enquiry as per the procedure laid down duly affording an opportunity to the Charged Officer and held the charges are proved and the criminal case and departmental proceedings are distinct and no relevance can be drawn in between these two distinct proceedings and final action irrespective of each proceedings are independent. Government see no reason to withhold the departmental proceedings. It has been proved during enquiry that he has acquired immovable properties in the name of family members without any intimation as required under Rules.

13) Government, after careful examination of the matter in detail, have decided to impose a punishment of 10% cut in pension permanently against Sri V. Jayaramudu Prohibition & Excise (Retd.), as the charge is held proved against him in the enquiry, the APPSC, when consulted has also given its concurrence in the reference fourteenth read above. Government therefore impose the punishment of 10% cut in pension permanently against Sri V. Jayaramudu, Prohibition & Excise Inspector (Retd.), Dharmavaram, Anantapur District.

14) The Commissioner of Prohibition & Excise, A.P., Hyderabad / the Deputy Commissioner of Prohibition & Excise, Kurnool District shall take further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri V. Jayaramudu, Prohibition & Excise Inspector (Retd.),
Dharmavaram, Anantapur District.

(Through): The Commissioner of Prohibition & Excise, A.P., Hyderabad.

The Commissioner of Prohibition & Excise, A.P., Hyderabad.

(with a request to serve the order to the individual and
furnish the served copy to Government for record.

The Deputy Commissioner of Prohibition & Excise, Kurnool District.

Copy to:-

The Director General, Anti Corruption Bureau, A.P., Hyderabad.

The Secretary, A.P. Vigilance Commission, Secretariat, Hyderabad.

The District Treasury Officer, Chittoor District.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, A.P., Hyderabad.

File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER